

**REMARKS**

Claims 1, 3, 7-9, 13-16, 19, 22, 26 and 29 have been amended. Claims 27 and 28 have been canceled to further the prosecution of this application and not for reasons related to patentability. Claims 1-26 and 29 are now pending in this application. Applicant reserves the right to pursue the original and any other claims in this and other applications.

Claims 27 and 28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hartmaier (U.S. Patent No. 5,978,672) in view of Kugell (U.S. Patent No. 5,802,160) and further in view of Kavehrad (EP Publication No. 0219085). As noted above, claims 27 and 28 have been canceled and thus, this rejection is no longer applicable.

Claims 1, 2, 5, 8, 10-13, 15-18 and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hartmaier in view of Kugell. The rejection is respectfully traversed.

Claim 1 recites “[a] telephony interface for receiving a telephone call via a first communication path, . . . identifying a dialed telephone number associated with the call, [and] using the dialed telephone number to retrieve . . . at least one user preference . . . to route the call to at least two wireless destination telephone numbers substantially simultaneously via respective second and third communication paths.”

Claim 1 further recites “connecting the call to a user by connecting [the] first communication path to the second or third communication path when the second or third communication path is authenticated by the user.” Applicant respectfully submits that the cited combination fails to teach or suggest the above limitations.

Hartmaier, by contrast, refers to a programming interface between applications that execute on a private data network and applications that execute in a WIN. Hartmaier is essentially an interface communicating between two software programs. Kugell, on the other hand, relates to a method and system of providing a telephone service where a list of telephone numbers is associated with a representative telephone number. Applicant respectfully submits that, even when combined, Hartmaier and Kugell fail to teach or suggest a telecommunication device comprising “[a] telephony interface for receiving a telephone call via a first communication path, . . . identifying a dialed telephone number associated with the call, [and] using the dialed telephone number to retrieve . . . at least one user preference . . . to route the call to at least two wireless destination telephone numbers substantially simultaneously via a second or third communication path.” Further, the cited combination fails to teach or suggest the “telephony interface connecting the call to a user by connecting [the] first communication path to the second or third communication path when the second or third communication path is authenticated by the user.” These are just some reasons why claim 1 is allowable.

Moreover, Applicant respectfully submits that it would not have been obvious to one of ordinary skill in the art to combine the teachings of the cited prior art to achieve a system for selectively establishing communication with one or more of a plurality of wireless devices serving as a virtual office telephone. One of ordinary skill would not have looked to a programming interface between computer applications (Hartmaier) to combine it with a system that associates a list of telephone numbers with an identified telephone number (Kugell) to achieve a system, serving as a virtual office, establishing communication with one or more of a plurality of wireless devices. Thus, Applicant respectfully submits that it is improper to combine the references in the manner suggested by the Office Action.

Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found in the references themselves. In re Fine, 837 F.2d 1071, 5 USPQ.2d 1596 (Fed. Cir. 1988). There is no suggestion or motivation in any of the references for combining them to arrive at the claimed invention. In fact, Hartmaier and Kugell are two entirely different systems. The Office Action is using impermissible hindsight by using the claims of the present invention as a road map to improperly combine the references. See Ex parte Clapp, 227 U.S.P.Q. 972, 973 (Bd. App. 1985); M.P.E.P. §2144.

Therefore, Applicant respectfully submits that it would not have been obvious to one of ordinary skill in the art to achieve a telephony interface “for receiving a telephone call via a first communication path, . . . identifying a dialed telephone number associated with the call, [and] using the dialed telephone number to retrieve . . . at least one user preference . . . to route the call to at least two wireless destination telephone numbers substantially simultaneously via respective second and third communication paths,” as recited in claim 1. No such teaching, suggestion, or motivation is found in the cited references.

Thus, the cited combination fails to render obvious all limitations of claim 1 and therefore, claim 1 should be allowable. Claims 1, 2, 5, 8, 10-13 and 15-18 depend from claim 1 and are allowable along with claim 1.

Claim 26 recites a method to implement a virtual dual line telephone interface into an enterprise telecommunication network location having a single line telephone interface comprising the steps of “providing at least one wireless telephone to the location; routing a telephone call made to an extension of the enterprise network via a first communication path to the wireless connect unit; [and] . . . routing the

telephone call to at least one destination telephone number via a second communication path.” According to claim 26, “the wireless telephone can receive the call if the device associated with the second telephone number is unable to receive a call and the device associated with the second telephone number can receive the call if the wireless telephone is unable to receive the call.” Applicant respectfully submits that the cited references whether considered alone or in combination, fail to teach or suggest all limitations of claim 26. In addition, it would not have been obvious to one of ordinary skill in the art to combine the cited references to achieve the claimed invention.

Accordingly, Applicant respectfully requests that the rejection be withdrawn and the claims allowed.

Claims 3, 4, 6, 7 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hartmaier in view of Kugell and Kavehrad, and further in view of Chow (U.S. Patent No. 6,711,401). The rejection is respectfully traversed.

Claims 3, 4, 6, 7 and 14 depend from claim 1. As such, they each recite a telephony interface “for receiving a telephone call via a first communication path, . . . identifying a dialed telephone number associated with the call, [and] using the dialed telephone number to retrieve . . . at least one user preference . . . to route the call to at least two wireless destination telephone numbers substantially simultaneously via respective second and third communication paths.” For at least the reasons set forth above, the claimed features cannot be disclosed or suggested by Hartmaier and Kugell.

Kavehrad is cited as teaching extensions of the enterprise telecommunication network being associated with wireless devices. However, even if Applicant assumes the Office Action is correct about Kavehrad, which Applicant does not concede,

Kavehrad does not teach or suggest “[a] telephony interface for receiving a telephone call via a first communication path, . . . identifying a dialed telephone number associated with the call, [and] using the dialed telephone number to retrieve . . . at least one user preference . . . to route the call to at least two wireless destination telephone numbers substantially simultaneously via respective second and third communication paths.” Nor would it have been obvious to one of ordinary skill in the art to combine Kavehrad with Hartmaier and Kugell to achieve the claimed invention. None of the cited references seek to teach or suggest, or even relate to achieving a system for selectively establishing communication with one or more of a plurality of wireless devices serving as a virtual office telephone.

Furthermore, the cited references, even when combined, do not teach or suggest a telephony interface that routes a call to two wireless destination telephone numbers substantially simultaneously. Applicant respectfully submits that Chow, which has been cited merely for teaching routing a call to a voice mailbox after a predetermined time, and Kavehrad, which has been cited merely for teaching extensions being associated with wireless devices, do not cure the deficiencies of Hartmaier and Kugell referred to above. Accordingly, the cited combination fails to teach or suggest all limitations of claim 1 and thus, claims depending from claim 1. Accordingly, Applicant respectfully submits that claims 3, 4, 6, 7 and 14 are allowable over the cited combination.

The rejection should be withdrawn and the claims allowed.

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hartmaier in view of Kavehrad and further in view of Cox (U.S. Publication No. 2002/0013141). The rejection is respectfully traversed.

Claim 9 depends from claim 1. As such, claim 9 recites “[a] telephony interface for receiving a telephone call via a first communication path, . . . identifying a dialed telephone number associated with the call, [and] using the dialed telephone number to retrieve . . . at least one user preference . . . to route the call to at least two wireless destination telephone numbers substantially simultaneously via respective second and third communication paths.”

For at least the reasons set forth above, these features are not disclosed or suggested by Hartmaier and Kavehrad. Cox, which has been cited as teaching the telephony interface prompts a caller of the telephone call with a menu of call destination options and the telephone interface places the call in accordance with an option selected by the caller, also fails to disclose the above limitations. Accordingly, claim 9 is allowable over the cited combination for at least the reasons set forth above. The rejection should be withdrawn and the claim allowed.

Claims 19-23, 25 and 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hartmaier in view of Karpus (U.S. Patent No. 5,884,191), and further in view of Kavehrad. The rejection is respectfully traversed.

Claim 19 recites a telecommunication device comprising a telephony interface for “determining user access rights based on at least one enterprise preference associated with first enterprise extension telephone number, generating and sending a simulated dial tone to the wireless telephone and providing access to [an] enterprise telecommunication network based on . . . at least one user preference and the enterprise preference associated with [a] first enterprise extension telephone number.” Claim 19 further recites that “[the] enterprise telecommunication network consists solely of wireless communication devices.”

Claim 29 recites a method of providing access to an enterprise telecommunication network from a wireless telephone comprising the steps of “determining access rights for a user of the wireless telephone and if the user has rights to access the enterprise telecommunication network, [the] method further comprising: generating a simulated dial tone; sending the simulated dial tone to the wireless telephone via the first communication path; and providing telecommunication access to the enterprise telecommunication network based on at least one user preference and at least one enterprise preference associated with the retrieved enterprise telephone number.” Claim 29 further recites “the enterprise telecommunication network consists solely of wireless devices.” Applicant respectfully submits that the cited combination fails to disclose or suggest all limitations of the inventions of claims 19 and 29.

As set forth above, Hartmaier refers to a programming interface between applications that execute on a private data network and applications that execute in a WIN and, essentially is an interface communicating between two software programs. Hartmaier fails to teach or suggest a telephony interface “determining access rights for a user of the wireless telephone and if the user has rights to access the enterprise telecommunication network, generating and sending a simulated dial tone to the wireless telephone and providing access to [an] enterprise telecommunication network . . . that consists solely of wireless devices,” as recited in claim 19.

Karpus merely discloses an interface system that connects various devices to a radio telephone and provides arbitration between conflicting requests for access to the audio channel of the telephone. Karpus uses grant lines to communicate that access to the audio channel is available. Karpus is essentially an arbitration switch between devices and would not be used in the Hartmaier system and thus, Applicant believes Karpus to be not relevant to the technology of the claimed invention. Even if relevant, Karpus does not teach or suggest “determining access rights for a user of the wireless

telephone and if the user has rights to access the enterprise telecommunication network, generating and sending a simulated dial tone to the wireless telephone and providing access to [an] enterprise telecommunication network . . . that consists solely of wireless devices," as recited in claim 19. There arguments equally apply to the similar limitations recited in claim 29. Therefore, Hartmaier and Karpus, whether considered alone or in combination, fail to teach or suggest all limitations of claims 19 and 29.

For at least the reasons set forth above, the addition of Kavehrad to the combination does not cure the deficiencies of Hartmaier and Karpus. That is, Kavehrad does not teach, suggest or render obvious a telephony interface "determining access rights for a user of the wireless telephone and if the user has rights to access the enterprise telecommunication network, generating and sending a simulated dial tone to the wireless telephone and providing access to [an] enterprise telecommunication network . . . that consists solely of wireless devices," even if combined with Hartmaier and Karpus.

Moreover, Applicant also respectfully submits that it is improper to combine the references in the manner suggested by the Office Action. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found in the references themselves. In re Fine, 837 F.2d 1071, 5 USPQ.2d 1596 (Fed. Cir. 1988). There is no suggestion or motivation in any of the references for combining them to arrive at the claimed invention. The Office Action is using impermissible hindsight by using the claims of the present invention as a road map to improperly combine the references. See Ex part Clapp, 227 U.S.P.Q. 972, 973 (Bd. App. 1985); M.P.E.P. §2144. This is another reason why the rejection should be withdrawn.

Accordingly, claims 19 and 29 are allowable over the cited combination. Claim 20-23 and 25 depend from claim 19 and are allowable along with claim 19. For at least the reasons set forth above, the rejection should be withdrawn and claims 19, 20-23, 25 and 29 allowed.

Claim 21 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hartmaier in view of Karpus and Kavehrad, and further in view of Schwab (U.S. Patent No. 6,597,781). The rejection is respectfully traversed.

Claim 21 depends from claim 19 and is allowable along with claim 19 because neither Hartmaier, Karpus, nor Schwab (cited merely for the teaching of a dial tone timeout period) discloses, teaches or suggests a telephony interface “determining access rights for a user of the wireless telephone and if the user has rights to access the enterprise telecommunication network, generating and sending a simulated dial tone to the wireless telephone and providing access to [an] enterprise telecommunication network . . . that consists solely of wireless devices.” Accordingly, Applicant respectfully submits that the rejection should be withdrawn and claim 21 allowed.

Claim 24 stands rejected under 35 U.S.C. § 103(a) as being unpatenable over Hartmaier in view of Karpus, Kavehrad and Chow. The rejection is respectfully traversed.

Claim 24 depends from claim 19 and is allowable along with claim 19 because none of the references teach or suggest a telephony interface “determining access rights for a user of the wireless telephone and if the user has rights to access the enterprise telecommunication network, generating and sending a simulated dial tone to the wireless telephone and providing access to [an] enterprise telecommunication network .

. . that consists solely of wireless devices." Accordingly, Applicant respectfully submits that the rejection should be withdrawn and claim 24 allowed.

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

By   
Gianni Minutoli

Registration No.: 41,198  
DICKSTEIN SHAPIRO LLP  
1825 Eye Street, NW  
Washington, DC 20006  
(202) 420-2200  
Attorney for Applicant